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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 JEFFREY ROBERT VANHORNE,

13 Defendant.  
14

Case No. 2:06-CR-00272-KJD-LRL

**ORDER**

15 Presently before the Court is Defendant's Motion to Terminate Supervised Release (#17).  
16 The Government filed a response (#19). The Government does not oppose Defendant's motion.

17 A district court enjoys "broad discretion" when, after it takes into account the statutorily  
18 required factors, it discharges a defendant's supervised release. United States v. Jeanes, 150 F.3d  
19 483, 484 (5th Cir. 1998). The defendant, however, bears the burden of demonstrating that early  
20 termination of his supervised release is justified. See United States v. Weber, 451 F.3d 552, 559 n. 9  
21 (9th Cir. 2006). Title 18 U.S.C. § 3583(e) states:

22 (e) **Modification of conditions or revocation.** The court may, after considering the  
23 factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5),  
(a)(6), and (a)(7)

24 (1) terminate a term of supervised release and discharge the defendant released at any  
25 time after the expiration of one year of supervised release, pursuant to the provisions  
26 of the Federal Rules of Criminal Procedure relating to the modification of probation,  
if it is satisfied that such action is warranted by the conduct of the defendant released  
and the interests of justice[.]


1 The Court has considered the following factors under 18 U.S.C. §§ 3553(a): (1) the nature  
2 and circumstances of the offense and the history and characteristics of the defendant; (2) deterrence;  
3 (3) protection of the public; (4) the need to provide the defendant with educational, vocational  
4 training, medical care or other rehabilitation; (5) the sentence and sentencing range established for  
5 the category of defendant; (6) any pertinent policy statement by the Sentencing Commission; (7) the  
6 need to avoid unwarranted sentence disparities among defendants with similar records who have  
7 been found guilty of similar conduct; and (8) the need to provide restitution to any victims of the  
8 offense. See 18 U.S.C. §§ 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7).

9 Here, Defendant has met his burden in demonstrating that early termination of supervised  
10 release is justified. On December 26, 2006, Defendant was adjudicated guilty of bank robbery. He  
11 was sentenced to 100 months imprisonment followed by three years of supervised release. He has  
12 served his term of confinement and two and a half (2.5) years of supervised release. Defendant has  
13 not violated the conditions of his supervised release. Defendant has also paid the principal balance of  
14 his restitution of \$8,861.39. His probation officer does not object to termination of his supervised  
15 release.

16 Therefore, having considered the statutory factors, the Court finds that in the interest of  
17 justice and being warranted by the conduct of Defendant, that his term of supervised release is hereby  
18 terminated immediately.

19 Accordingly, IT IS HEREBY ORDERED that Defendant's Motion for Early Termination of  
20 Supervised Release (#17) is **GRANTED**.

21 DATED this 20<sup>th</sup> day of June 2016.

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25 Kent J. Dawson  
26 United States District Judge